



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

NOV 10 2014

REPLY TO THE ATTENTION OF:

E-19J

Catherine Batey
Division Administrator
Federal Highway Administration
3250 Executive Park Drive
Springfield, Illinois 62703

Re: Final Environmental Impact Statement and Record of Decision for the 75th Street Corridor Improvement Project, Chicago, Illinois. CEQ #20140296

Dear Ms. Batey:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement (EIS) and Record of Decision (ROD) for the 75th Street Corridor Improvement Project (CIP) in Chicago, Illinois provided by the Federal Highway Administration (FHWA). EPA conducted this review pursuant to our authorities under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The Chicago Regional Environmental and Transportation and Efficiency Program (CREATE) is a collaborative public-private effort to improve the rail and roadway transportation network in the Chicago region. Partners include FHWA, the Illinois Department of Transportation (IDOT), the Chicago Department of Transportation (CDOT), and the Association of American Railroads (AAR). The 75th CIP is one of element of the CREATE program and aims to reduce several issues including rail-rail conflicts, highway-rail crossings, local mobility, and need for improved passenger rail service. The selected alternative includes two rail flyover structures, 29.4 miles of new rail track, 10.8 miles of relocated track, new rail bridge structures at four locations, replacement of existing rail bridges at three locations, rehabilitation or modification of 23 existing rail bridges, and one highway-rail grade separation.

EPA reviewed the Draft EIS for the 75th Street CIP and provided comments on May 22, 2014. Our comments focused on impacts to air quality, community safety, residential displacements, increased noise and vibration, construction impacts, and climate change mitigation and adaptation. We rated the Draft EIS as Lack of Objections (LO). On July 17, 2014 EPA participated in a phone call with members of the CREATE team, including representatives of FHWA, IDOT, and their consultants to discuss our comments and the selected alternative. Most

of our comments were adequately addressed; however we still have some concerns regarding commitments to mitigation measures, as discussed below.

Per implementing regulations of the Moving Ahead for Progress in the 21st Century Act (MAP 21), FHWA has issued a combined Final EIS and ROD. However, in order to fulfill its NEPA review responsibilities, EPA reviews and provides comments on the combined Final EIS and ROD.

Air Quality

EPA recommended anti-idling measures be committed to in the ROD for both construction equipment during the build phase of the project and for trains along the 75th Street Corridor. The air quality mitigation commitments listed in table ROD-3 appear to be only related to dust suppression during construction and not emissions reduction from equipment. Therefore, EPA reiterates its previous comments that anti-idling and other emission reduction measures be implemented by both the construction contractors and train operators.

Safety

Based on our July 17, 2014 meeting, EPA understands the at-grade crossing at 71st Street is not within the City Bike network plan and IDOT cannot commit to capital funding for bicycle crossing at this time. However, IDOT will commit to coordinating with outside parties for bicycle accessibility. EPA is pleased to see IDOT commit to working with outside parties to enhance bicycle accessibility. We have no further comments on this matter.

Noise and Vibration

EPA acknowledges the added discussion to Section 3.7.1.6 regarding noise methodology and mitigation and the mitigation commitments included in table ROD-3. We strongly encourage all five potential noise barriers (Barriers G, H, M, N, and O) to be incorporated into the final design, particularly considering many of the impacted residents are already living with environmental justice concerns.

Construction Impacts

Table ROD-3 includes several mitigation commitments to reduce impacts as a result of construction, including fugitive dust, noise, vibration, and traffic disruptions. EPA is pleased to see these commitments. As discussed above, we continue to recommend anti-idling and other diesel emission reduction measures be implemented by the construction contractor to reduce impacts to air quality.


Climate Change Adaptation and Mitigation

Per discussions during the July 17, 2014 meeting, we understand rails are designed to withstand high heat stress so anticipated impacts from climate change, such as increased air temperature

and drought, are not a concern. We also note that the project will design to the 100-year storm event, per the City of Chicago ordinance, and the railroads will appropriately address stormwater management. Therefore, our comments have been adequately addressed.

Thank you for incorporation of our comments in the Final EIS and ROD. If you need further clarification please do not hesitate to contact me or Elizabeth Poole of my staff at 312-353-2087 or poole.elizabeth@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written in a cursive style.

Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

cc: Emily Kushto, Illinois Department of Transportation
Matt Fuller, Federal Highway Administration - Illinois

